

MSGP Transition from EPA to ADEC

October 30, 2009

When does the transition from EPA to ADEC occur?

The transition of NPDES primacy from EPA to ADEC is taking place in four phases. Phase I started October 31, 2008. Phase II, which includes storm water, takes place October 31, 2009. From October 31, 2009 onward ADEC is the permitting authority for permitting and enforcement for the Multi-Sector General Permit.

I submitted a Notice of Intent (NOI) to EPA for my project before the transition; do I need to submit another NOI to ADEC?

No, the NOI you submitted to EPA will serve as the NOI for ADEC so you do not need to submit another NOI.

I submitted an NOI to EPA for my project before the transition, do I submit my Notice of Termination (NOT) to EPA or to ADEC?

After October 31, 2009 you submit your NOT to ADEC, you do not submit your NOT to EPA.

Where do I submit my NOI, NOT or No Exposure form?

There is currently one way to submit your NOI, NOT or No Exposure form to ADEC. Submit your signed original of the form to the following address (while retaining a copy for your files and Storm Water Pollution Prevention Plan)

Alaska Department of Environmental Conservation
Division of Water – Storm Water Program
555 Cordova St.
Anchorage, AK 99501

Do I use the EPA forms or ADEC forms?

ADEC has developed forms similar to the EPA forms for the NOI and NOT. We encourage operators to use the new ADEC forms. The ADEC forms are available at www.dec.state.ak.us/water/wnpspc/stormwater/index.htm and look in the right-hand column and click on ***APDES Storm Water Forms***.

Do I have to pay a fee?

Operators who have not previously obtained coverage under the MSGP must pay a state-required plan review fee (see 18 AAC 72.955).

ADEC is in the process of revising its fee schedule. The proposed fees were public noticed the fall of 2009. ADEC expects the fees to be put into effect by January, 2010.

What multi-sector general permit do I use now?

The permit that is in effect is the EPA permit issued February 26, 2009 and is set to expire September 29, 2013. ADEC will continue to use that permit until a new permit is reissued. For your SWPPP print off the ADEC Cover Page (available on ADEC Multi-Sector General Permit Webpage) and use it as the cover to the EPA Multi-Sector General Permit (see link on ADEC Multi-Sector General Permit Webpage).

Where do I send the Annual Report and MDMR forms?

After October 31, 2009 send your Annual Report and MDMR forms to

Alaska Department of Environmental Conservation
Division of Water – Storm Water Program
555 Cordova St.
Anchorage, AK 99501

Who will be inspecting MSGP facilities?

After October 30, 2009, ADEC will be the primary agency inspecting MSGP facilities. However, EPA does retain the right to inspect these facilities.

What is EPA's role in storm water regulation after October 30, 2009?

EPA retains oversight of ADEC's permitting and enforcement of storm water regulations. This means that EPA will provide technical assistance in the reissuance of permits and they will also review and comment on storm water permits that ADEC develops. EPA will review ADEC compliance and enforcement efforts.